

Appl. No. 10/621,651

Amdt. Dated 23 February 2005

Reply to Office action of 11 January 2005

REMARKS/ARGUMENTS

Reexamination and reconsideration of this application as amended is requested. By this amendment, claims 1, 7, and 16. Claims 1-17 remain in the application.

REJECTION OF CLAIMS 1-17 UNDER 35 U.S.C. §102

Claims 1-17 have been rejected under 35 U.S.C. 102 as being anticipated by Bostaph et al., WO 02/49132 A2.

The cited Bostaph reference discloses a fuel cell wherein a water/methanol mixture 46 from the anode is recirculated through channel 53 to the mixing chamber 36.

The present invention takes air from the cathode side of the fuel cell and inserts it into the mixing chamber. The air from the cathode is much more turbulent and has a higher flow rate than that taken from the anode. Therefore, the air from the cathode provides a much improved mixing of the fuel in the mixing chamber. The reference to the anode has been deleted from the independent claims.

The independent claims 1, 7, and 16 as amended, state that a return/bubbling line return air from the cathode to the mixing chamber. This is not taught by the Bostaph reference, nor would it be obvious to one skilled in the art to use the cathode air instead of the anode air. The dependent claims are believed allowable since they depend from what is believed to be an allowable claim, and further for the limitations they add.

Accordingly, it is believed that the rejection of claims 1-17 under 35 U.S.C. 102 has been overcome by the amendment and remarks.

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AMENDMENT TO THE SPECIFICATION

Paragraph [0019] of the written description has been replaced by an amended paragraph with two parenthetical comments removed. These comments were apparently added by the drafting attorney as a reminder to himself, and he failed to delete them after the action had been taken. Furthermore, inlet 120 has been added after "bubbling line" for clarification.

CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated; and no amendment made herein was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In view of Applicant's amendments and remarks, it is respectfully submitted that Examiner's rejections have been overcome. Accordingly, Applicants respectfully submit that the application, as amended, is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants attorneys at 480-385-5060.

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If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 502,091 for any fee which may be due.

Respectfully submitted,

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